

REMARKS

Claims 1-20, 22, and 23 are pending and stand rejected. In response, Claims 1 and 11 are amended, no claims are cancelled, and no claims are added. Applicants respectfully request reconsideration of pending Claims 1-20, 22, and 23 in view of the following remarks.

I. Claim Rejections Under 35 U.S.C. §112

Claim 1 and 11 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traversed the rejection.

As mandated by case law, a specification disclosure which contains a teaching of the manner and process of making and using an invention in terms which correspond in scope to those used in describing and defining the subject matter sought to be patented must be taken as being in compliance with the enablement requirement of 35 U.S.C. 112, first paragraph, unless there is a reason to doubt the objective truth of the statements contained therein which must be relied on for enabling support. (See, MPEP § 2164.04.)

Here, the Examiner argues that:

The Applicant's disclosure is limited to disabling logic blocks using laser to destroy the connectors to switch from CA to another CA or other methods. This does not enable as claimed "a connection between the first CA logic block is disabled when descrambling of the incoming scrambled content is to be conducted according to the second CA function." (Page 4, ¶ 3 of the Office Action mailed 10/01/07.)

We submit that the Examiner is attempting to limit what is covered by the claims by the specific limitations and examples in the specification, which is prohibited by MPEP § 2164.08. We submit that FIG. 6 of Applicants' specification does not show a disabled connector because the logic block may be disabled by other means and not specifically limited to destruction of a signal trace to disable a connection between a first CA logic block and the core logic, as in Claim 1. We submit that disabling of the connector is not required to disable the logic block and, therefore, is not shown in FIG. 6. In other words, as shown in FIG. 6, cutting the signal trace that couples logic block 655₃ to core logic 700 is not required to disable logic block 655₃ or the signal trace. As indicated by Applicants' specification:

A fifth input 760 is an input for an ENABLE signal that, when set, allows the configuration block logic 655₁ to function. Otherwise, the configuration block 655₁ is deactivated. The ENABLE input 760 may be used in lieu of, or in addition to, the destruction of traces and connections during manufacture. (Page 21, lines 3-9.) (Emphasis added.)

We submit that the text referred to by the Examiner describes that a trace coupling logic block 655₃, as shown, may be cut using a laser to disable logic block 655₃. We submit that the ENABLE input 760 shown in FIG. 7 of Applicants' specification may be used in lieu of the destruction of traces to disable the connection between logic block 655₃ and core logic 700 as shown in FIG. 6. (See, Supra.)

In view of the cited passage above, we submit that at least such passage, as well as FIGS. 6 and 7 of Applicants' specification, contain a teaching of the matter and process of making and using the present invention in terms which correspond in scope to those used in describing and defining the subject matter sought to be patented. As a result, we submit that Applicants' specification must be taken as being in compliance with the enablement requirement of 35 U.S.C. § 112, first paragraph, since there is no reason to doubt the objective truth of the statements contained in Applicants' specification which are relied on for enabling support. (See MPEP § 2164.04.)

For each of the above reasons, therefore, we submit that FIGS. 6 and 7 in combination with page 19, lines 13-30 and page 21, lines 3-9 of Applicants' specification enable the claim language for amended claim 1 reciting "a connection between the first CA logic block is disabled if descrambling of the incoming scrambled content is to be conducted according to the second CA function." Similarly, the claim language for amended claim 11 reciting "wherein only the first conditional access block of the plurality of conditional access logic blocks is if the incoming scrambled content is scrambled according to the first CA function" is enabled by at least FIGS. 6 and 7 in combination with page 19, lines 13-30 and page 21, lines 3-9 of Applicants' specification.

Hence, claim 1, as amended, is in compliance with 35 U.S.C § 112, first paragraph, by providing an enabling disclosure of the recited features of such claim. Consequently, Applicants

respectfully submit that the 35 U.S.C § 112, first paragraph rejection of claim 1 is erroneous and should be overturned.

II. Claim Rejections Under 35 U.S.C. §103

Claims 1-5 and 11-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2004/0221302 issued to Ansari et al. (“Ansari”) in view of U.S. Publication No. 2003/0059047 issued to Iwamura (“Iwamura”). Applicant respectfully disagrees with the Examiner’s assertions and characterizations of the cited references.

Claim 1 recites:

1. An apparatus adapted to a digital device, comprising:
core logic;
a first conditional access (CA) logic block connected to the core logic, the first CA logic block using a first CA function associated with a first CA provider; and
a second CA logic block connected to the core logic, the second CA logic block using a second CA function associated with a second CA provider, wherein a connection between the core logic and the first CA logic block is disabled if descrambling of the incoming scrambled content is to be conducted according to the second CA function.

While Applicants’ argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

Ansari is generally directed to a television 10 including a programmable conditional access system (PCAS) 50 that provides a common hardware platform for conditional access of premium television services from direct broadcast satellite and cable service providers without the need of a set-top box. (See page 2, para. [0018], lines 4-6.) According to the Examiner:

Ansari et al. does not explicitly teach the CA are logic blocks, a core logic and wherein a connection between the core logic and the first CA is disabled when descrambling of the incoming scrambled content is to be conducted according to the second CA function. Iwamura, in an analogous art, however teaches the CA are logic blocks, a core logic and wherein a connection between the core logic and the first CA is disabled when descrambling of the incoming scrambled content is to be conducted according to the second CA function (0021; 0048; 0063; 0066; 0088). (See pages 5 and 6, para. 6 of the Office Action mailed 10/01/07.) (Emphasis added.)

Iwamura is generally directed to a PC card recorder where a multiple POD card interface can be provided in a set-top box to accept multiple PC card recorders to enable a user to watch a first program (processed by PC card recorder 350A) while a different program is recorded by PC card recorder 350B under the controlled host CPU 250. (See Abstract, FIG. 5 and para. 88.) In contrast with Claim 1, Iwamura does not disclose or suggest wherein a connection between the core logic and the first CA logic block is disabled if descrambling of the incoming scrambled content is to be conducted according to the second CA function, as in Claim 1.

Iwamura does disclose an embodiment where the PC card recorder and set-top box arrangement includes a second PC card to enable a user to watch a first program being processed by PC card recorder 350A, while a second program is recorded by PC card recorder 350B (see para. 88), however, that is something completely different from a connection between the core logic and the first CA logic block being disabled if descrambling of the incoming scrambled content is to be conducted according to the second CA function, as in Claim 1. In other words, the ability to provide two PC card recorders that can be configured to record different programs under the control of a host CPU 250, as disclosed by Iwamura, is prohibited if a connection between one of the PC card recorders and host CPU 250 is disabled, since such disablement prohibits CPU 250 from controlling the disconnected PC card recorder and unable to record one program while the user is able to watch a different program.

Hence, we submit that no combination of Ansari in view of Iwamura can teach or suggest “wherein a connection between the core logic and the first CA logic block is disabled if descrambling of the incoming scrambled content is to be conducted according to the second CA function,” as in Claim 1. For each of the above reasons, therefore, Claim 1, and all claims which depend from Claim 1, are patentable over the prior art combination of Ansari in view of Iwamura, as well as the references of record. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1-5.

Each of Applicants other independent claims include features similar to those highlighted above with reference to Claim 1, and therefore are also patentable over the cited art for similar

reasons. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 11-13.

Claims 6-10, 14-19, 20, and 22-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ansari in view of Iwamura and further in view of U.S. Patent No. 6,289,455 issued to Kocher et al. ("Kocher"). Applicants respectfully traverse this rejection.

Each of Applicants' other independent claims includes limitations similar to those in Claim 1 discussed above. Furthermore, the Examiner's citing of Kocher fails to rectify the deficiencies of Ansari in view of Iwamura.

Claim 20 recites:

a programmable logic device including a plurality of programmable gates programmed to operate in accordance with a conditional access (CA) function associated with a first CA provider to descramble the incoming scrambled content, the programmable gates of the programmable logic device are one-time programmable and battery-backed so that disruption of power will cause the programmable logic device to become inoperative. (Emphasis added.)

In contrast with Claim 20, modification of Ansari in view of Kocher, to teach one time programmable gates to operate in accordance with a conditional access function associated with a first CA provider, as in Claim 20, would render Ansari unsatisfactory for its intended purpose. The intended purpose of Ansari is: providing programmable conditional access and digital rights management in an integrated digital television which does not require a set-top box, which allows consumers to change their service providers without having to change their television set or acquire a new set-top box. (See Ansari, page 1, ¶ [0007] and page 2, ¶ [0023].)

Consequently, the prior art combination of Ansari in view of Iwamura and further in view of Kocher fails to teach or suggest the one time programmable gates, as in Claim 20. Therefore, the Examiner fails to establish a prima facie case of obviousness of Claim 20 since the prior art combination of Ansari in view of Iwamura and further in view of Kocher fails to teach or suggest all claims limitations recited by Claim 20.

Therefore, all of Applicants' other independent claims, and all claims which depend on them, are also patentable over the cited art, for similar reasons. Consequently, we request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 6-10, 14-19, 20, and 22-23.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as an agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Request for Examiner's Interview

Applicant believes that the above listed claims are in condition for allowance, and further believes that a telephone conference to discuss the allowance of these claims would greatly facilitate the examination of the subject Application. The Examiner, therefore, is respectfully requested to contact the undersigned attorney by telephone at the telephone number listed below to coordinate an Examiner's Interview.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending (1) are in proper form, (2) are neither obvious nor anticipated by the relied upon art of record, and (3) are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: 1/2/08

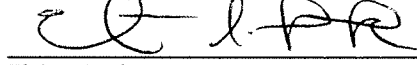
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Elaine Kwak

1/2/08

Date